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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROOT INSURANCE COMPANY, an Ohio-
domiciled insurance company,

Plaintiff,

vs.

TRACY FAILS, an individual; JOSHUA
CALTON, an individual; DOES I through X,
inclusive, and ROE CORPORATIONS I
through V, inclusive,

Defendants.

JOSHUA CALTON, an individual,

Counter-Claimant,

vs.

ROOT INSURANCE COMPANY, an Ohio-
Domiciled insurance company,

Counter-Defendant.

Case No.: 2:23-cv-01312-JCM-BNW

**STIPULATION AND
ORDER TO DISMISS WITH
PREJUDICE**

COMES NOW, Plaintiff/Counter-Defendant ROOT INSURANCE COMPANY,
("Plaintiff/Counter-Defendant or ROOT"), by and through its counsel of record, the law firm of
SCHNITZER JOHNSON & WATSON, CHTD., Defendant, JOSHUA CALTON, by and
through his counsel of record, JAMES L. EDWARDS, ESQ., and Defendant, TRACY FAILS,
by and through his counsel of record, the law firm of CLARKSON & ASSOCIATES, LLC, and
hereby submit this Stipulation and Proposed Order:

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1 IT IS HEREBY STIPULATED AND AGREED, by and between the parties that that this
2 matter be dismissed with prejudice, as the underlying dispute has been resolved in a separate
3 state action. All parties agree to bear their own attorney's fees and costs.

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5 DATED this 2 day of October, 2024.

DATED this 2nd day of October, 2024.

6 SCHNITZER JOHNSON & WATSON,
7 CHTD.

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9 M. BRADLEY JOHNSON, ESQ.
10 Nevada Bar No. 4646
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Attorneys for Plaintiff/Counter-Defendant,
ROOT INSURANCE COMPANY

/s/ James L. Edwards, Esq.
JAMES L. EDWARDS, ESQ.
Nevada Bar No. 4256
P.O. Box 77055
Madison, WI 53707
Attorneys for Defendant/Counter-Claimant,
JOSHUA CALTON

11
12 DATED this 2nd day of October, 2024.

13 CLARKSON & ASSOCIATES LLC

14 /s/ Matthew D. Spring, Esq.
15 MATTHEW D. SPRING, ESQ.
16 Nevada Bar No. 11721
162 North 400 East, Suite A-204
17 St. George, UT 84770
Attorneys for Defendant,
18 TRACY FAILS

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20 IT IS ORDERED October 4, 2024.

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22 UNITED STATES DISTRICT JUDGE
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